



P21585.A10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 08 2004

Applicants : David L. Whitmore et al.

Group Art Unit: 2666

Appl. No. : 10/084,049

OFFICE OF PETITIONS

Examiner: M. Jagannathan

Filed : February 28, 2002

For : PORT ROUTING FUNCTIONALITY

PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED CLAIM OF PRIORITY

MAIL STOP: PETITION

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Special Procedures Submission

Sir:

In accordance with the provisions of 37 C.F.R. § 1.78(a)(3), Applicants respectfully request acceptance of an unintentionally delayed claim for priority under 35 U.S.C. 120 of U.S. Patent Application No. 08/932,532, filed on September 17, 1997, which matured into U.S. Patent No. 6,418,324, which was pending at the time the present application was filed. The present application was filed on February 28, 2002, and U.S. Patent No. 6,418,324 issued on July 9, 2002.

During February 2004 while preparing a response to the outstanding Office Action, Applicants reviewed the prior art and claims to be included in the response. During this review, it came to the Applicants' attention that the present application should be a continuation-in-part of U.S. Patent Application No. 08/932,532, which is a continuation-in-part of U.S. Patent Application No. 08/456,860, instead of only related to this application,

P21585.A10

as disclosed in the originally filed application in paragraph [0002]. Applicants therefore immediately undertook action for filing this Petition to obtain the 35 U.S.C. §120 benefit of U.S. Patent Application No. 08/932,532 and its parent parent.

The entire delay from between the date the claim was due under 37 C.F.R. 1.78(a)(2) and the date the claim is being filed was unintentional.

Applicants have acted with diligence since determining that a priority claim would be appropriate. Applicants made this determination and have taken immediate steps to prepare and file this petition.


Applicants are concurrently filing an Application Data Sheet and an Amendment Under 37 C.F.R. 1.116 changing the specification to claim the benefit of then copending U.S. Patent Application No. 08/932,532 and its parent application. Copies of the Amendment and Application Data Sheet are enclosed.

A check including the surcharge under 37 C.F.R. 1.17(t) in the amount of \$1330.00 is submitted by applicants for the petition fee.

P21585.A10

Authorization is hereby provided to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

Respectfully submitted,
David L. Whitmore et al.


Neil F. Greenblum
Reg. No. 28,394

March 2, 2004
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



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Response under 37 C.F.R. 1.116
Expedited Procedure Requested
Examining Group. 2666

Attorney Docket No. P21585

In re application of : David L. Whitmore et al.

Serial No. : 10/084,049

OFFICE OF PETITIONS

Group Art Unit: 2666

Filed : February 28, 2002

Examiner: M. Jagannathan

For : PORT ROUTING FUNCTIONALITY

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COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

COPY

Sir:

Transmitted herewith is an Amendment under 37 C.F.R. 1.116 in the above-captioned application.

___ Small Entity Status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a previously filed statement.

___ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

☒ A Request for Extension of Time.

___ No Additional Fee.

☒ Petition to Accept an Unintentionally Delayed Claim of Priority (copy).

☒ Cover Letter Regarding Submission of Supplemental Application Data Sheet.

☒ Supplemental Application Data Sheet.

The fee has been calculated as shown below:

Claims After Amendment	No. Claims Previously Paid For	Present Extra	Small Entity		Other Than A Small Entity	
			Rate	Fee	Rate	Fee
Total Claims: 30	30	0	x 9=	\$	x 18=	\$0.00
Indep. Claims: 4	4	0	x 43=	\$	x 86=	\$ 0.00
Multiple Dependent Claims Presented			+145=	\$	+290=	\$0.00
Extension Fees for one Month				\$		\$110.00
			Total:	\$	Total:	\$110.00

*If less than 20, write 20

**If less than 3, write 3

☒ Please charge my Deposit Account No. 19-0089 in the amount of \$_____.

___ A Check in the amount of **\$110.00** to cover the extension fee is included.

☒ The U.S. Patent and Trademark Office is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-0089.

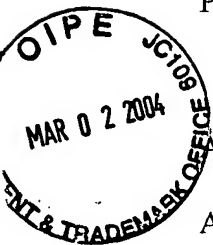
☒ Any additional filing fees required under 37 C.F.R. 1.16:

☒ Any patent application processing fees under 37 C.F.R. 1.17, including any required extension of times fees in any concurrent or future reply requiring a petition for extension of time for its timely submission 37 CFR 1.136(a)(3)

Neil P. Greenblum
Reg. No. 28,394

Sept. 23, 2004

P21585.A12



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OFFICE OF PETITIONS

Group Art Unit: 2666

Examiner: M. Jagannathan

REQUEST FOR EXTENSION OF TIME

COPY

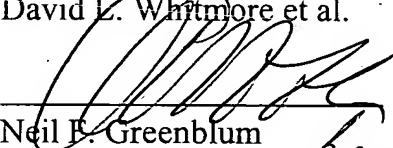
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Please extend the time for response to the Official Office Action dated November 19, 2003 by one month, from February 19, 2004 to March 19, 2004. A check including the amount of \$110.00 is enclosed as payment for the fee.

The U.S. Patent and Trademark Office is hereby authorized to credit any overpayment or charge any additional fee to Deposit Account No. 19-0089.

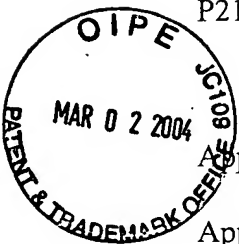
Respectfully submitted,
David L. Whitmore et al.


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P21585.A11



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner: M. Jagannathan

OFFICE OF PETITIONS

AMENDMENT UNDER 37 C.F.R. 1.116

COPY

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Official Action of November 19, 2003, in which a three month shortened statutory period for response was set to expire on February 19, 2004, and for which a one month extension of time is being submitted to extend the period for response until March 19, 2004, Applicants are submitting an amendment to the specification to claim priority of U.S. Patent Application No. 08/932,532 its parent Application No. 08/456,860.

Amendments to the Specification begin on page 2 of this paper.

Remarks begin on page 3 of this paper.

AMENDMENTS TO THE SPECIFICATION

Please replace paragraph [0002] with the following amended paragraph:

[0002] The present application is also ~~related to U.S. Patent No. 6,198,920, filed on March 16, 2000, entitled "Apparatus and Method for Intelligent Routing of Data Between a Remote Device and a Host System," which is a continuation~~ a continuation-in-part of U.S. Patent Application No. 08/932,532, filed on September 17, 1997, entitled "Apparatus and Method for Intelligent Routing of Data between a Remote Device and a Host System," now U.S. Patent No. 6,418,324 on July 9, 2002, which is a continuation-in-part of U.S. Application No. 08/456,860, filed June 1, 1995, now U.S. Patent No. 5,717,737, issued on April 14, 1997 February 10, 1998, entitled "Apparatus and Method for Transparent Wireless Communication Between a Remote Device and a Host System," the contents of which are expressly incorporated by reference herein in their entireties.

Please add the following new paragraph after paragraph [0002]:

[0002.1] The present application is also related to U.S. Patent No. 6,198,920, filed on March 16, 2000, entitled "Apparatus and Method for Intelligent Routing of Data Between a Remote Device and a Host System," which is a continuation of U.S. Patent Application No. 08/932,532, now U.S. Patent No. 6,418,324, the content of which is expressly incorporated by reference herein in its entirety.

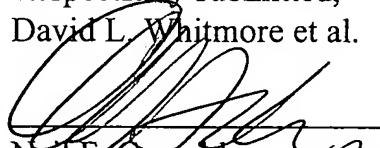
REMARKS

The amendment to the specification is being submitted, along with a Petition To Accept An Unintentionally Delayed Claim Of Priority, and an Application Data Sheet to claim priority under 35 U.S.C. §120 of U.S. Patent Application No. 08/932,532, filed on September 17, 1997.

Another amendment will be submitted including claim amendments. The present paper is being filed without amendments to the claims in order to expedite filing of the Petition to Accept Unintentionally Delayed Claim of Priority filed on even date herewith, a copy of which is enclosed.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
David L. Whitmore et al.


Neil F. Greenblum
Reg. No. 28,394

March 2, 2004
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**COVER LETTER REGARDING SUBMISSION OF
SUPPLEMENTAL APPLICATION DATA SHEET**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:


In accordance with 37 C.F.R. 1.76(c)(2), Applicants submit herewith a Supplemental Application Data Sheet [hereinafter "SADS"].

Applicants note that the SADS attached hereto includes updated 35 U.S.C. 120 priority information including that this application is a Continuation-in-Part of Application No. 08/932,532, which is a Continuation-in-Part of Application No. 08/456,860.

Accordingly, Applicants request entry of the attached SADS to ensure that the identified information is accurately printed on the face of the printed patent.

If there are any questions with regard to this submission, the Examiner is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
David L. Whitmore et al.


Neil F. Greenblum
Reg. No. 28,394

March 2, 2004
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